

AN ORDINANCE REPEALING SECTIONS 15-5 AND 15-10 OF THE LAS ANIMAS CITY CODE IN REGARD TO PEDDLERS, SOLICITORS, AND ITINERANT MERCHANTS, AND REENACTING SAME.

WHEREAS, the Las Animas City Council has determined that it is in the best interest of the citizens of the City of Las Animas, Colorado, to revise Sections 15-5 and 15-10 of the Las Animas City Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAS ANIMAS, COLORADO:

THAT Sections 15-5 and 15-10 of the Las Animas City Code be repealed and re-enacted as follows:

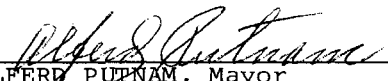
Section 15-5. License fees. (a) Every applicant for a license under this chapter shall pay the City a license fee of Ten Dollars (\$10.00) per year.

(b) None of the license fees, provided for by this chapter shall be so applied as to occasion an undue burden upon interstate commerce. In any case where a license fee is believed by licensee or applicant for license to place an undue burden upon such commerce, he may apply to the City Council for an adjustment of the fee so that it shall not be discriminatory, unreasonable, or unfair to such commerce. Such application may be made before, at, or within six (6) months after payment of the prescribed license fee. The applicant shall, by affidavit and supporting testimony, show his method of business and the gross volume of business and such other information as the City Council may deem necessary in order to determine the extent, if any, of undue burden on such commerce. The City Council shall then conduct an investigation, comparing applicant's business with other business of like nature and shall make findings of fact from which it shall determine whether the fee fixed by this chapter is unfair, unreasonable or discriminatory as to applicant's business and shall fix as the license fee for the applicant, an amount that is fair, reasonable

and nondiscriminatory, or, if the fee has already been paid, shall order a refund of the amount over and above the fee so fixed. In fixing the fee to be charged, the City Council shall have the power to use any method which will assure that the fee assessed shall be uniform with that assessed on business of like nature, so long as the amount assessed does not exceed the fees as prescribed by Section 15-5 (a) of this chapter.

INTRODUCED AND PASSED ON FIRST READING AND
ORDERED PUBLISHED THE 5th DAY OF January, 1981

ADOPTED, APPROVED, AND ORDERED PUBLISHED BY
TITLE ON THE 5th DAY OF February, 1981


ALFRED PUPNAM, Mayor

ATTEST:


LILA M. MAUPIN, City Clerk